



10-23-06 IFW
Express Mail Label No.: EV 869 861 580 US
Date of Deposit: October 20, 2006

Attorney Docket No. 25739-024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Leventhal et al.
Serial No: 10/633,179
Filed: August 1, 2003
For: RETRACTABLE RAZOR ASSEMBLY AND
PACKAGING SYSTEM FOR SAME

Examiner: Steven B. Pollicoff
Art Unit: 3728

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

- (1) RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER
37 C.F.R. 1.121 FAXED SEPTEMBER 20, 2006
- (2) LETTER TO THE EXAMINER;
- (3) COPY OF FAXED NOTICE OF NON-COMPLIANT AMENDMENT;
- (4) LETTER TO THE OFFICIAL DRAFTSMAN;
- (5) THREE (3) SHEETS OF INFORMAL "REPLACEMENT SHEET" DRAWINGS-
INCLUDING FIGURES 6, 9, AND 9E; AND
- (6) RETURN POST CARD.

If any of the above identified items is not included in this submission, the Office is respectfully requested to contact the undersigned at the telephone number provided.

The Commissioner is hereby authorized to charge the balance due, or to credit any overpayment, to the account of the undersigned, Deposit Account No. 50-0311, referencing Attorney Docket No. 25739-024.
A duplicate copy of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Carol H. Peters

Registration No. 45,010
MINTZ, LEVIN, COHN, FERRIS
GLOVSKY and POPEO, P.C.
Attorneys for Applicant(s)
One Financial Center
Boston, MA 02111
Telephone: 617/348-4914
Facsimile: 617/542-2241
email: cpeters@mintz.com

Date: October 20, 2006



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LETTER TO EXAMINER

Applicants respectfully draw the Examiner's attention to the incorrect U.S. Serial Number on the Notice of Non-Compliant Amendment Under 37 C.F.R. §1.121. The U.S. Serial Number on the Notice reads 10/663,179. The Notice was entered into the wrong application, consequently, it was sent to the wrong address. The law firm handling the application for U.S.S.N. 10/663,179 faxed to us the Notice on September 20, 2006 (a copy of which is enclosed). Applicants respectfully request the Notice be entered into the record under the correct U.S.S.N. 10/633,179. We are using the date of September 20, 2006 as the date the Notice was mailed because that is the date on which we were made aware that a Notice of Non-Compliant Amendment was issued.

Also, Applicant requests that no additional charges be incurred since this was an Office error.

However, the Commissioner is hereby authorized to charge the balance due, or to credit any overpayment, to the account of the undersigned, Deposit Account No. 50-0311, referencing Attorney Docket No. 25739-024.

Respectfully submitted,

Carol H. Peters
Registration No. 45,010
MINTZ, LEVIN, COHN, FERRIS
GLOVSKY and POPEO, P.C.
Attorneys for Applicant(s)
One Financial Center
Boston, MA 02111
Telephone: 617/348-4914
Facsimile: 617/542-2241
email: cpeters@mintz.com

Date: October 20, 2006

DOCKETING**IAN F. BURNS & ASSOCIATES, P.C.**
*Intellectual Property Law*P.O. Box 71115
Reno, Nevada 89570

25739-024

Telephone 775-826-6160 · Facsimile 775-828-1651

September 20, 2006

RECEIVED

OCT 03 2006

RECEIVED
FBI - BOSTON

If there is a problem with transmission or if all pages are not received, please call (775) 826-6160 for retransmission.

TO: Carol Peters**FAX #: (617) 542-2241****FROM: Thomas Howell****RE: Notice of Non-compliant Amendment****COPY**

Number of pages including this cover page: 3

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is PRIVILEGED, CONFIDENTIAL and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original to us by mail without making a copy. Thank you.

☐ URGENT ☐ PLEASE SIGN AND RETURN ☐ PLEASE REVIEW AND COMMENT ☐ PLEASE REPLY

Comments:

Done By	
<input checked="" type="checkbox"/> Data Entry	me
<input checked="" type="checkbox"/> Docket Entry	me
<input type="checkbox"/> Docket Cross Off	3/20/07
<input type="checkbox"/> Previously Entered	me
<input type="checkbox"/> No Docketing Req	
<input type="checkbox"/> ELITE	
<input type="checkbox"/> Annuities	

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/663179

10/633,179

Applicant(s)

Examiner

LAYNO

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on _____ is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.
☐ B. New paragraph(s) should not be underlined.
☐ C. Other _____

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
☐ B. Other _____

☒ 3. Amendments to the drawings:

- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
☐ C. Other _____

☒ 4. Amendments to the claims:

- ☒ A. A complete listing of all of the claims is not present.
☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
☒ E. Other: CLAIMS 1-21 MISSING

☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

KIMBERLY COOPER

571 272 4339

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Part of Paper No.

OCT 20 2006

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10/663179

Examiner

LAYNO

Applicant(s)

Art Unit

3711

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The amendment document filed on _____ is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.
☐ B. New paragraph(s) should not be underlined.
☐ C. Other _____.

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
☐ B. Other _____.

☒ 3. Amendments to the drawings:

- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
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☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
☒ E. Other: CLAIMS 1-21 MISSING.

☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

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TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

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Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

KIMBERLY COOPER

Legal Instruments Examiner (LIE), if applicable

571 272 4339

Telephone No.



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P.O. Box 1450
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LETTER TO OFFICIAL DRAFTSMAN

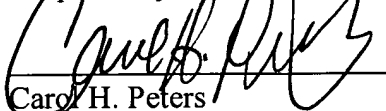
Sir:

Subject to the approval of the Examiner, enclosed for filing in the patent application identified above are three (3) sheets of Informal "Replacement Sheet" Drawings including Figures 6, 9 and 9E.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone 617/348-4914.

The Commissioner is hereby authorized to charge any fees which may be required in connection with this submission of Formal Drawings to the deposit account of the undersigned, Deposit Account No. 50-0311, referencing Attorney Docket No. 25739-024. A duplicate copy of this Letter is enclosed herein for this purpose.

Respectfully submitted,



Carol H. Peters

Registration No. 45,010
MINTZ, LEVIN, COHN, FERRIS
GLOVSKY and POPEO, P.C.
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One Financial Center
Boston, MA 02111
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email: cpeters@mintz.com

Date: October 20, 2006